

SECTION 3. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.

(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 4. (a) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 7990, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 7990.107 to read as follows:

*Sec. 7990.107. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.*

(b) This section is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c), Article I, Texas Constitution.

SECTION 5. This Act takes effect September 1, 2017.

Passed by the House on May 4, 2017: Yeas 137, Nays 6, 2 present, not voting; passed by the Senate on May 24, 2017: Yeas 30, Nays 1.

Filed without signature June 15, 2017.

Effective September 1, 2017.

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## COMPOSITION OF THE BOARD OF DIRECTORS OF A STORMWATER CONTROL AND RECAPTURE PLANNING AUTHORITY IN CERTAIN COUNTIES

### CHAPTER 792

H.B. No. 2725

#### AN ACT

relating to the composition of the board of directors of a stormwater control and recapture planning authority in certain counties.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 391A.004, Local Government Code, is amended to read as follows:

Sec. 391A.004. BOARD OF DIRECTORS. (a) The governing body of an authority is a board of directors composed of:

(1) a representative of the county in which the authority is located and each municipality within the territory of the authority;

(2) a representative of each water utility within the territory of the authority not also described by Subdivision (1);

(3) a representative of each water district within the territory of the authority that has been in operation for at least 15 years; ~~and~~

(4) *a member appointed by each member of the state legislature whose legislative district is wholly or partly in the territory of the authority; and*

(5) *a representative of the Texas Department of Transportation appointed by the Texas Transportation Commission.*

(b) *A person may not serve as a director if the person holds another public office.*

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

Passed by the House on May 9, 2017: Yeas 145, Nays 0, 2 present, not voting; passed by the Senate on May 24, 2017: Yeas 30, Nays 1.

Filed without signature June 15, 2017.

Effective June 15, 2017.

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## BROKER AGREEMENTS FOR THE SALE OF CERTAIN SURPLUS PROPERTY BY CERTAIN COUNTIES

### CHAPTER 793

H.B. No. 2762

#### AN ACT

**relating to broker agreements for the sale of certain surplus property by certain counties.**

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Subchapter D, Chapter 263, Local Government Code, is amended by adding Section 263.1545 to read as follows:

*Sec. 263.1545. BROKER AGREEMENTS FOR THE SALE OF CERTAIN SURPLUS PROPERTY BY CERTAIN COUNTIES. (a) This section applies only to surplus property that:*

*(1) is owned by a county with a population of more than 1 million and less than 1.5 million;*

*(2) uses a high level of technology;*

*(3) was used or will be used in connection with or for a highly specialized program; and*

*(4) was purchased by the county for more than \$250,000.*

*(b) The commissioners court of a county may enter into a broker agreement to sell surplus property described by Subsection (a) with a broker who has the expertise necessary to negotiate the sale of the surplus property. The commissioners court may pay a fee to the broker if the broker produces a ready, willing, and able buyer to purchase the surplus property.*

*(c) Notwithstanding any other law, including Section 262.024, a broker agreement under this section is subject to the competitive procurement procedures for services under Subchapter C, Chapter 262, regardless of the amount of the proposed broker's fee.*

*(d) The commissioners court of a county may sell the surplus property to the ready, willing, and able buyer who submits the highest cash offer and is produced by the broker in accordance with the broker agreement.*

*(e) Notwithstanding any other law, the commissioners court of a county may sell surplus property under this section without complying with the requirements for conducting a public auction, bidding, or trade-in under other law, including the requirements under Sections 263.152 and 263.153.*

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all